

REMARKS

The Examiner's comments together with the cited references have been carefully studied. Favorable reconsideration in view of the foregoing amendments and following remarks is respectfully requested.

Claims 1-6 and 9 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (US 6,344,262) in view of Lofquist (US 4,083,893). The Examiner states Suzuki discloses an ink jet recording element containing a support and a porous layer (ink receiving layer) containing alumina hydrate (inorganic filler) and Mg ions/SCN ions (abstract), that Suzuki further discloses that the Mg ions and SCN ions are added to improve the ozone resistance (column 1, lines 54-55), and that Suzuki further mentions that the support (substrate) can include paper sheets and cloths (column 2, lines 13-14). While acknowledging Suzuki fails to disclose the use of sulfonic polystyrene as a component of the ink receiving layer to improve the ozone resistance, the Examiner notes Lofquist discloses a printable nylon (cloth) substrate that contains a magnesium or calcium salt of sulfonated polystyrene to provide lightfastness and ozone resistance (abstract). The examiner takes the position that the cloth substrate disclosed by Suzuki is inclusive of the nylon substrate disclosed by Lofquist and the methods disclosed by both references merely represents two functionally equivalent approaches to achieve ozone resistance on printable media, and asserts that it would have been obvious to a person of ordinary skill in the art to have selected from known approaches to render a printable substrate more ozone resistant which would have included the use of the salt of sulfonated polystyrene as disclosed by Lofquist. This rejection is respectfully traversed.

As essentially noted by the Examiner, Lofquist is directed towards a dyeable nylon cloth. Such dyeable nylon materials is clearly distinct from an inkjet recording element comprising a porous ink-receiving layer. While Suzuki does disclose an ink jet recording medium including a porous layer coated over a support, and discloses that the support thereof may include paper sheets and cloths, the combination of such references clearly does not teach or suggest the present claimed invention. While the combination of such

references might suggest use of the sulfonic polystyrene salts of Lofquist in a cloth substrate used as a support for a dye-receiving element of Suzuki (e.g., if one were concerned about dye fade of cationic dyed nylon fibers of such a cloth substrate as taught by Lofquist), it does not teach or suggest use of such sulfonic polystyrene salt in an inkjet recording element porous receiving layer in accordance with the present invention even if provided over such a cloth substrate of Suzuki. Note particularly that Lofquist is directed towards cationic dyeable nylon materials, while conventionally employed inkjet printing dyes are typically not cationic. Accordingly, there would be no motivation to employ such materials in the porous layer of the ink jet recording medium of Suzuki. Rather, as Suzuki is specifically directed towards use of Mg and SCN ions in such porous receiving layer coated over a substrate (which admittedly itself may be a cloth) in order to obtain performance features specifically attributed to such Mg and SCN ions, the proposed substitution of other materials therefore which are taught only for use with other distinct materials (i.e., nylon) as proposed by the Examiner would go against the actual requirements of the teachings of Suzuki to employ Mg and SCN, and therefore clearly not be suggested or otherwise obvious to one skilled in the art.. The cationic dyeable nylon cloth of Lofquist and the porous layer of the ink jet recording medium of Suzuki are clearly non-analogous materials, and the proposed combination of such references would clearly not teach or suggest the present claimed invention.

In view thereof, it follows that the subject matter of the claims would not have been obvious of Suzuki in view of Lofquist at the time the invention was made. Reconsideration and withdrawal of this rejection is accordingly respectfully urged.

Claims 7 and 8 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki in view of Lofquist and further in view of Sadasivan (US 6,419,356). The Examiner states Suzuki discloses that the inkjet recording element contains inorganic fillers (alumina hydrate, metal hydroxide) (abstract) but fails to mention fumed alumina or calcium carbonate; Sadasivan discloses an ink jet element where the receiving layer

contains inorganic particles (abstract) that can include alumina, silica, fumed silica, boehmite and calcium carbonate (column 3, lines 38-44); Sadasivan further discloses that the particles are present to create a porous layer so that the solvent in the ink can travel through the layer to a support or base layer (column 3, lines 50-55); and that it would have been obvious to a person of ordinary skill in the art at the time of the invention to have selected from known inorganic fillers such as those taught by Sadasivan which read on the applicants' claimed fillers, absent unexpected results. This rejection is respectfully traversed, as while Sadasivan may disclose use of the claimed types of inorganic fillers, it does not overcome the basic deficiencies of the primary references, as it also does not teach or suggest use of a sulfonic polystyrene in a porous ink receiving layer of an ink jet recording element. Reconsideration and withdrawal of such rejection is accordingly respectfully urged.

In view of the foregoing remarks and amendment, the claims are now deemed allowable and such favorable action is courteously solicited.

Should the Examiner consider that additional amendments are necessary to place the application in condition for allowance, the favor is requested of a telephone call to the undersigned counsel for the purpose of discussing such amendments.

Respectfully submitted,



Andrew J. Anderson
Attorney for Applicant(s)
Registration No. 33,564

AJA:cbf
Rochester, NY 14650
Telephone: (585) 722-9662
Facsimile: (585) 477-1148

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.